

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOBHANA RETNASAMI and RANDALL
KENNEDY, individually and the marital
community comprised thereof,

Plaintiffs,

v.

HAL ANTILLEN N.V., a Netherlands Antilles
corporation; HOLLAND AMERICA LINE N.V.,
a Netherlands Antilles corporation; HOLLAND
AMERICA LINE INC., a Washington
corporation; HOLLAND AMERICA LINE -
USA INC., a Delaware corporation; HOLLAND
AMERICA LINE WESTOURS, INC., a
Washington corporation; and ENTITIES "A"
through "Z",

Defendants.

No. CV5-1615 MJP

ORDER DENYING PLAINTIFF'S
MOTION TO WAIVE
COMPLIANCE WITH MEDIATION
REQUIREMENT OF LOCAL RULE
39.1.

Plaintiffs have filed a motion to waive compliance with the mediation requirement of Local Rule 39.1. Plaintiffs allege that mediation would impose an unreasonable expense on them due to the fact that they reside in Mauritius. But Plaintiffs have not documented their residency in Mauritius or their travel plans to and from the United States. Mediation is required under the local rules and is a good first step in the litigation process. The parties must attempt mediation with a private mediator before the Court will consider appointing a judge to conduct a settlement conference pursuant to Local Rule 39.1(e).

The parties shall secure a date to conduct the mediation within ten days of this order. The mediation may be conducted telephonically.

1 The Clerk is directed to send copies of this order to all counsel of record.

2 Dated this ____ day of October, 2006.

3 /s Marsha J. Pechman

4 _____
5 Marsha J. Pechman
6 United States District Judge